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Louisiana -- Governor. 1867

HARVARD UNIVERSITY
JAN 26 1942
GRADUATE SCHOOL OF PUBLIC ADMINISTRATION

MESSAGE

OF THE

GOVERNOR OF LOUISIANA

TO THE

GENERAL ASSEMBLY.

HELD IN THE

CITY OF NEW ORLEANS.

COMMENCING JANUARY 28. 1867.

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1867, July 12. Gift of
Hon. Chas. Sumner.
(d. 6. 1830.)

GOVERNOR'S MESSAGE.

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT,
NEW ORLEANS, Jan. 28, 1867.

To the General Assembly:

In compliance with a constitutional duty imposed on the Governor of the State, I respectfully submit this, my message, conveying information respecting the situation of the State, and embodying my views on various subjects pertaining to the public welfare.

I regret I cannot congratulate you on the auspices of your assembling. The year that has just closed, while bountiful in its blessings of peace, and compared to other sections of country, also in health, was not fruitful to us in its rewards to industry. A large extent of our most fertile lands have been submerged by the breaking of the levees; families have been driven from their homes; horses, cattle and crops have been destroyed, and the liberality of the National Government had to be invoked, to supply food to the starving. Upon this disaster, came the excessive rains and the army worm, which cut off more than one-third of the cotton crop, so that few, if any, of those engaged in planting have cleared expenses, while the large majority have lost heavily. These calamities, repeated in two successive years, combined with the derangement of labor, could not otherwise than operate as a discouragement to the agricultural interests of the State. Depressing as was their tendency, however, I cannot believe that our people will permit their energies to be paralized. We have the most fertile lands on the globe, a genial climate, and the seasons cannot always prove unpropitious. Gloomy as the prospects may appear, I see no cause for despair. One good yield of crops would repair our losses,

and sooner or later, the tide of immigration must find its way hither, attracted by the advantages of our unparalled soil, our climate, and facilities of market, and with it, will come capital, enterprise and intelligence, that have made the Northern and Western States what they are.

POLITICAL RELATIONS.

In political matters, the past year has been charged with great events, particularly to the people of the late rebel States. General elections have been held in all the States not engaged in the rebellion, for members to compose the fortieth Congress of the United States The questions at issue and decided in that contest, were of the gravest and most important character. On full and deliberate consideration, the people have pronounced in favor of the power of Congress to reconstruct these States. They have gone further and declared their purpose that these States shall not be restored to their former participation in the Government, until suitable constitutional guarantees are provided against present disloyalty and future rebellion. One of these guarantees, adopted by the present Congress at the last session, is embodied in the proposed amendment to the Constitution of the United States. I have received, through the Secretary of State, a certified copy of said amendment, with the request that the same be submitted to you for ratification, and it is transmitted herewith accordingly. In view of the diverse opinions well known to exist, between the members of the General Assembly and myself, on all matters connected with the reconstruction of the State, I shall not take up your time by entering into an extended discussion of the features of the proposed amendment. I believe your minds to be made up how you shall vote on it, and nothing that I could say would have any weight with you, for or against. That I may not be misunderstood, however, before the country, in my views on so important a measure, I desire to say, that I consider the

amendment as just and proper, adjusting and settling, as it does, the rights of citizenship to all persons, without reference to race or color; recognizes the validity of the public debt; repudiates the payment or assumption of any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; and imposes disfranchisement from holding office under the United States and State governments, to a certain class of persons who have engaged in insurrection or rebellion against the Government of the United States. These provisions meet my full approval, but I am not willing to accept the amendment as a finality for the admission and restoration of the late rebel States. I consider it to be within the province, and to be the duty of Congress, to require of these States, as additional guarantees, that they shall, by constitutional enactments, recognize and establish equal political rights in the privilege of the ballot, to all men. I believe such to be the fixed will and intention of Congress, and I do not consider your ratification of the amendment would exereise any influence in changing or altering that determination. The idea and hope of readmission as a State on any other terms, I regard as illusory, and the sooner the honest, well-meaning mass of the people realize the fact, and make up their minds to submit and act accordingly, will they assist in adjusting and settling our political relations with the Federal Government on a peaceful and permanent basis.

THE RIOTS OR MASSACRE IN NEW ORLEANS,

though confined to a certain locality, is an event which may be said to concern the people of the whole State, as well as the United States, and for me to pass it over in silence in this document, would probably be attributed to motives of fear, in view of the fact that an attempt has been made to hold me responsible for their origin, in giving my sanction to the meeting of the Convention. So far as my official acts and

private conduct in that matter is concerned, I do not fear to court any investigation the General Assembly may think proper to institute. I have and shall continue to denounce the killing and outrages committed on that occasion, as an unprovoked massacre of loyal citizens, headed by the police and assisted by a mob, to gratify their hatred of every man who remained true to the Government during the rebellion, or abandoned its cause.

FINANCES.

The reports of the State Treasurer and Auditor will place you in possession, in detail, of the workings of the Treasury for the past year, and its condition at the close.

The Treasurer shows the following exhibit of receipts and expenditures:

Total receipts	$4,290,460 43
Total expenditures	2,615,705 12
Balance	1,674,755 31

represented by the following funds and securities:

In Confederate notes	471,211 97
In State levee bonds, bearing 8 per cent interest, exchanged for State notes	700,000 00
In State notes, redeemed for cancellation	425,000 00
In State notes, issued, but not paid out	63,235 00
In U. S. Treasury and city notes	15,308 34
Total	$1,674,755 31

Excluding and deducting the balance brought forward from previous year, amounting to $597,728 69, and the further sum of $1,896,000 of State Treasury notes issued, the receipts proper of the general fund would be $1,796,731 74

The expenditures proper, for the same period, excluding appropriations for Levee Board of $1,000,000 00, would be 1,615,705 12

Surplus $181,026 62

The same report furnishes statement of the issues, redemption, and balance of State notes or certificates of indebtedness. Total amount authorized by law.....$2,000,000 00

Paid to Board of Levee Commissioners—appropriations by the Legislature	$1,000,000 00	
Ditto in exchange for bonds	700,000 00	
For current expenses of the State	132,765 00	
Issued but not paid	63,235 00	
On hand not issued	104,000 00	
		$2,000,000 00

Subject to the following deductions:

Redeemed for cancellation	$425,000 00	
Made and not paid out	63,235 00	
On hand, not made	104,000 00	— $592,235 00
Amount in circulation January 1, 1867		$1,408,765 00

The foregoing figures are deemed sufficient to enable you to comprehend the situation of the Treasury, and to appreciate the necessity of prompt relief, to enable the State to meet her obligations. The Auditor's estimates for the current year are predicated on existing sources of revenue and expenditure, and his statement does not materially vary from the results of the past year. He thinks the expenditures can be brought within the receipts, but in which calculation no provision is made for expenditures on account of levees, nor for the redemption of State notes which will be received for taxes, and it may be safely assumed that the whole amount now outstanding, will be paid into the Treasury during the year. These notes not being re-issuable, provision will have to be made to place the Treasury in funds to meet the deficiency arising from their absorption in the payment of taxes. The seven hundred bonds held by the Treasurer in exchange for notes paid to the Board of Levee Commissioners, might be sold and the proceeds paid into the general fund, which

would materially contribute to the relief of the Treasury, but still leave a large sum to be provided. In view of the failure of the experiment to make these notes a circulating medium, the question arises for your consideration, whether it is not the best policy to provide the means at once of redeeming and cancelling the whole issue, for so long as they are a matter for discount and speculation, the credit of the State suffers. Revenue measures might be devised, to increase the income of the Treasury, which would obviate the necessity of borrowing or resorting to an increase of general taxes, and which could only be made available for the ensuing year. In this connection, it is much to be regretted, that the revenue measures proposed at the last session should have failed to become laws. Impoverished as I know the country to be, in having to choose between a resort to additional taxation and the discredit of the State by the non-payment of her obligations, I should have no hesitation in recommending the former. It is in vain to expect this credit to be re-established unless the plighted faith of the State is preserved. Yielding to the wisdom of the Legislature, I approved the bill passed at your last session, providing for the payment of interest due, by a process of funding in new bonds, but I thought then, and experience has confirmed my conviction, that the true policy would have been to have borrowed the money at any sacrifice, to have kept the faith of the State. The future prompt payment of her obligations may do much towards regaining her credit.

THE LEVEES.

The report of the Board of Levee Commissioners will inform you of the progress made in securing the levees to protect the alluvial lands from overflow, and the expenditures made by them for that purpose. Having assumed the responsibility of letting out the contracts on the part of the State, for the building and repairing of the broken levees, in

advance of the meeting of the last Legislature, and organized the present Board of Commissioners, to manage and superintend the same, I have felt not only a deep public interest, but a personal concern, for the success of the work undertaken. The Legislature, at the extra session, promptly approved and ratified my action in the premises, and to provide means to pay the contractors, authorized at the same session an issue of one million of dollars in bonds, bearing 8 per cent interest, and placed the same at the joint disposal of the Governor and Board for sale or negotiation. In conformity to the law, the bonds were advertised, consuming thirty days in the operation, but as might have been expected, from the phraseology of the act, in which it was implied that the bonds were limited at par value, no bids were received. Whether such was the meaning of the Legislature, I have no means of knowing. If it was, I am at a loss to understand their reasons for appreciating the value of these bonds to such a high figure, over the old bonds of the State bearing six per cent. interest, and which were at that time quoted in the market as worth not over seventy cents on the dollar. Owing to the delay in waiting for bids, the first payments to contractors fell due, with not one dollar in the hands of the Board to pay them. Having absorbed all their means in the purchase of outfit and supplies, and relying upon punctual payment by the Board to their men, the default of the State to meet its engagements under the contracts, operated as a serious impediment to the progress of the work. Contractors were compelled to go in the market with their certificates, and borrow money at any rate of discount, or abandon their contracts, and to accomplish which, they were detained in the city for weeks, when their presence was needed on the works. To this cause, more than all others combined, do I attribute the failure to complete the large levees in time to resist the last high water. The suffering to individuals, the loss of property, and the damage to the reputation of our State, which ensued from the breaking of these levees, is

deprecated by no one more than myself. The Board of Levee Commissioners having failed to sell the bonds after repeated advertisements for proposals, and sending agents to New York specially, to try their negotiation in that market, and being in absolute want of funds to pay contractors, were reduced to the alternative of suspending payments altogether, or to raise money from some quarter. In this extremity, and in consultation with the Auditor and Treasurer of the State, and with their assent, it was determined that rather than let the work stop, which would not only expose the State to another disastrous overflow, but involve the loss of large sums expended by the destruction of the unfinished levees, that the State Treasury should come to their relief, by giving them in exchange for seven hundred bonds, an equivalent amount of State notes or certificates of indebtedness. This amount was paid on my order, to the Chairman of the Board, and as security therefor, the bonds are held on deposit by the Treasurer, subject to the disposition of the Legislature. I am aware there was no warrant in law for this transaction, but I considered it justified to meet an extreme emergency, and it being simply an exchange of one species of obligation of indebtedness, for another of equal, if not greater value, under the terms of the law which restricts their sale at par value. I confidently rely on your approval of the action of all parties concerned. Before dismissing this subject, I deem it my duty to refer to the financial embarrassments the Board of Levee Commissioners have had to contend with from the beginning, not only for the want of funds, but in having to receive and pay out a depreciated currency, and the consequent hardships to the contractors in being paid to a large extent in this paper, which has ruled at a discount of from five to twelve per cent in the market. In equity, I consider them entitled to relief at the hands of the Legislature for these losses, as well as for the discount submitted to, arising from the default of the State, under the contracts. What system is the best for the State to adopt to keep up the levees, whether by the creation

of internal improvement districts, to be administered by local commissioners, elected by the people or appointed by the Governor, and maintained by special tax on all lands subject to overflow, or by a central board as existing at present, at the expense of the general fund, is for you to determine. Efforts were made at the last session of Congress and renewed at the present session, to procure an appropriation from the National Government in aid of the levees. If it should be successful, the State would be relieved from a heavy burthen of expense.

IMMIGRATION.

The importance of this subject claimed the attention of your Honorable body at the last session, and for the purpose of promoting the object sought, a bureau was created, to be administered by a commissioner, to be appointed by the Governor, and an appropriation of $20,000 placed at his disposal. Dr. Thomas Cottman, a well known citizen, thoroughly identified with the interests of the State, and imbued with indefatigable industry, was selected by me to fill this responsible office. His report will show what steps have been taken to carry out the objects of the Bureau, and with what result. Although the sanguine may be disappointed that the success has not been greater, yet considered as a beginning, and in view of the difficulties attending the experiment of turning the tide of emigration which has been flowing for so many years toward the Western States, I see no cause for discouragement. Valuable information in respect to our soil, products, and climate, has been disseminated through the agency of the Bureau, which must eventually have the effect of attracting the attention of the laboring population of Europe, as well as of the Northern and Western States, to the superior advantages of our State for settlement. To this end, the work commenced should not be relaxed, but whether further appropriations on the part of the State is expedient in furtherance of the object, or whether it will be left to private enterprise, is for you to decide.

EDUCATION.

To expatiate on the importance, to a free government, of the general education of the masses, would be regarded by me as a work of supererogation, in addressing men of your intelligence. The foundation of the government rests upon this theory. Louisiana, keeping pace with the progress of the age, adopted, at an early period, the general common school system, which was intended to make available to every family, instruction in the primary branches of education. She has tried this system for twenty years, but it is an admitted and recognized fact that outside of the city of New Orleans and a few large towns, the beneficial effects expected to flow from the system has fallen far short of what was intended. The report of the learned and experienced gentleman who presides over the department of public education, made to the Legislature at the last session, contains his views, and presents many valuable suggestions for the extension of the benefits from free schools to the country parishes. I consider his opinion entitled to your consideration. At the same time I trust it will not be deemed out of place that I remind you of the claims of the freedman and his family to an equal participant in the benefits to be derived from this benificent system. He contributes to its fund by taxation on his property, and every motive of interest and humanity demands of us that we should elevate his condition by extending to him the blessings of education. Impressed with this truth, I regard it as the most important recommendation I can make to you, that an appropriation be made from the school fund for the establishment of colored schools in all the parishes under the general law.

While advocating the free school system as of primary importance, I am not unmindful of the claims of our higher collegiate institutions to State support. They have had to reorganize and commence anew since the war, and have made

rapid progress in recovering their former prosperity. An application for special relief will be presented to you in behalf of the "Centenary College," an institution excelled by few in the country for its usefulness, and an honor to the State. I have no doubt that the appeal of the trustees will be met by you in a spirit of liberality that will testify of your appreciation of the benefits conferred in the way of education through the means of this well organized college.

INTERNAL IMPROVEMENTS.

The reports of the Directors of the Opelousas and Jackson railways show a satisfactory result in their earnings, and demonstrate the utility and importance of these great routes. The completion of the former road, according to its charter, is a matter of prime necessity, and if the State can render assistance beyond what she has already done in furtherance of the work, I think it should be done. By the terms of the original subscription for stock on the part of the State, the company is entitled to an issue of bonds at the rate of six thousand dollars for every mile of completed road, not exceeding the total amount subscribed. The report shows that the company have at the present time about eighty miles of continuous grading completed, and which only requires the iron to be laid to start the locomotive and cars. Under the circumstances, would not the State be justified in waiving the strict requirements of the law and authorize the issue of bonds to the extent of the distance graded, as in the case of completed road. In 1861 and '62 a company was organized under an act of the Legislature for the purpose of constructing a railway from New Iberia, connecting with the Opelousas road at that point, to Orange, in Texas, on the Sabine river, which is the terminus of the railway from Houston. The importance of this road in bringing New Orleans in communication with a large portion of Texas, should stimulate our people to put forth the most strenuous exertions to construct this connect-

ing link of railway. The only way the State could assist in the undertaking, would be to take stock, payable in bonds, as in the case of other roads, and with that assurance I have no doubt a company could be formed (the charter referred to being void) with sufficient capital to build the road.

CHARITABLE INSTITUTIONS.

The charitable institutions of the State for the care and relief of the Insane, the Deaf, Dumb, and the Blind, and the Charity Hospital, will require the annual appropriations at your hands for their support. Their claims for generous recognition will doubtless be met by that spirit of liberality which has hitherto enabled them to respond to the humane purposes for which they were founded. The building erected for the Insane Asylum would appear to be inadequate for the accommodation of the indigent insane, as the board of administration were compelled for want of room to turn off a number of this class during the past year. An attempt has been made to cast censure on the board for refusing to receive pauper insane, while admitting pay patients, but I cannot see that they can be held responsible for following the law, which recognized and set apart separate accommodations for the two classes. The true remedy would seem to be in an enlargement of the building, and until this can be done an arrangement might be made with the city of New Orleans to receive the pauper insane from the country parishes, and admit them into the temporary asylum supported by the city, the State paying for their keeping. It has been the custom of the Legislature to recognize the claims to public support of the various orphan asylums, homes for the friendless, and other charitable institutions dependent on private benevolence, by making annual appropriations for their aid and support. The practice is well settled that it is hardly necessary, I should remind you, and it will be your privilege to manifest your appreciation of these worthy charities by maintaining the past liberality of the State toward them.

GEOLOGICAL SURVEY.

I took occasion at your last session, in a communication addressed to a distinguished Senator, to urge the importance, as I consider, of having a geological survey of the State. No provision having been made by law for that purpose, and the Hon. J. B. Robertson having proposed to make a geological exploration of the parish of Calcasieu and surrounding country at his own expense, leaving it to the Legislature to judge if his labor was worth compensation, I accepted his offer, and feel confident his report will show sufficient data, to prove the existence of coal and valuable minerals in that section of the State.

PENITENTIARY.

Not having received the report of the Board of Control, in the case of this institution, I am not able to give any details of its operation. In view of the destruction of the machinery, formerly attached to the building and in the present condition of the Treasury, it being impracticable to replace it, I would call your attention to the expediency of putting the convicts to labor on the State works, both as a measure of economy and discipline. It has been thought that the levees below the mouth of Red river might be kept in repair by means of this labor, a barge or boat being fitted up for the purpose, which could be towed from point to point at a small expense. A considerable and additional expense could be saved for the State if the jails could be emptied and the prisoners put to the same employment. A memorial will be presented to you on the subject, and I commend the matter to your serious consideration.

SUSPENSION OF TAXES ON OVERFLOWED LANDS.

The breaking of the levees last year on the Mississippi caused a large section of cultivated lands to be overflowed in

the parishes of Point Coupee, West Baton Rouge, Iberville, Assumption, Terrebone, and perhaps other parishes, but not to so great an extent. Crops were generally destroyed, and in many instances houses, fences, horses, and cattle shared a common ruin, reducing the population to actual penury and want. On representations made to me by the authorities of the parish of Assumption, and by the representatives from the parish of Terrebonne, of the additional distress that would be entailed on these parties by the payment of taxes on their lands under the circumstances, I assumed the responsibility of directing the tax collector to suspend the collection of the taxes nisu ch cases on proper evidence being furnished to him that the lands were overflowed and the crops destroyed.

For the parish of Assumption a tableaux of the amount of the tax, with a list of the names of persons in whose favor it was remitted, has been furnished me, and I suppose a similar list will be made in the case of the parish of Terrebonne. The justice and necessity of the relief granted is so apparent that I entertain no doubt of your approval and ratification of my action in the premises, and that you will extend similar relief to those in other parishes who were so unfortunate as to lose their crops by the action of the flood.

THE GREAT PARIS EXHIBITION.

Through the exertions of commissioners appointed by me on the part of the State, and particularly by the indefatigable zeal and industry of Mr. Edward Gothiel, a laudable feeling of pride has been stimulated among our people to see our State represented at that great world's exhibition. Samples of our great staples—specimens of nearly every product of our soil, as well as articles of mechanicism, have gone forward and will attest to Europe, more powerful than language, that Louisiana is the Indies of America in her natural gifts. It has been suggested that the interests of the State would be further advanced, through the medium of this great exhibi-

tion and assemblage from all parts of the habitable globe, for the Legislature to prepare an address to be disseminated by the commissioners, tendering a general invitation and welcome of our State and people to the capitalist, the artisan, mechanic, and laborers of Europe, and enumerating the rare advantages possessed and benefits to be enjoyed by the adoption of our State as their future home.

It is proper that I should state that the commissioners have had to incur expense in the way of advertising, printing, and for packages. The amount required has been generously advanced by Mr. W. S. Pike, and I think it but right and proper this expense should be reimbursed by the State. I also commend to your consideration the claims of Mr. Edward Gothiel for the valuable services he has rendered in this connection, having devoted his time and labor since last May almost exclusively in the performance of his duties as commissioner, and I would respectfully suggest that some compensation is due to him for the sacrifice of his time and business.

CITY OF NEW ORLEANS.

I invite your attention to the affairs of the city of New Orleans, the most populous, as well as the first commercial city of the South, intimately connected with the vital interests of all parts of the State, and possessing a controlling power in the legislative councils Its wise and proper administration concerns the people of the whole State, and it is your duty to see that the laws enacted for its government are faithfully executed, and to legislate for its advancement and extension of its commercial advantages. It is well known to you that the city of New Orleans has issued at different times large amounts of obligations of indebtedness in the form of currency, and has at the present time several millions of dollars of these notes afloat, the issue of which is in contravention of the statutes of the State. If no limitation is put upon these issues, they may go on to an extent, involving the property of the city and creating a debt unknown to the tax payers, in proof of which may be cited the fact that no offi-

cial statement has been published showing the amount of these notes in circulation. In making these remarks, I have no intention of casting discredit on these notes. The security for their redemption is beyond question, but independent of the want of authority for their issue, I regard the policy as wrong, tending as it does to extravagance, and believe, for the interest of the tax payers, that their further issue should stop. In this connection, I deem it my duty to refer to grave reports, charging maladministration of an important trust fund, confided to the care of the city authorities, and which demands investigation at your hands.

A serious impediment to the free commerce of the city and to the whole valley of the Mississippi is of annual occurrence by the accumulation of deposit on the bar at the mouth of the river, preventing the entrance and departure of vessels above a certain draft. At this time, a fleet of more than twenty ships loaded have been detained from this cause for weeks, entailing a loss on capital invested in ships and cargoes that would constitute a sufficient sum to maintain an adequate depth of water annually, by the agency of proper means. I consider it to be the duty of the national government to undertake this work, and respectfully suggest the expediency of your uniting in a memorial to Congress, urging upon them the importance of making annual appropriations for that purpose.

GENERAL REMARKS.

There are many other topics concerning the public interest that I might touch upon were it practicable to do so within the limits of this document. My aim has been to present to you such general views and recommendations as I deemed appropriate to our present condition and conducive to the general welfare.

In all legislation calculated to secure that end it will be my pleasure to co-operate with you.

J. MADISON WELLS,
Governor.